



MEETING AGENDA
Wednesday, October 3, 2018
9:00 a.m.

- I. **Call to Order**
- II. **Approval of Minutes from September 11, 2018 Public Procurement Review Board Meeting**
 - A. **Motion to Amend September 11, 2018 Minutes**
 - i. ***Attachment F amended to:***
 - Add Contract #8200041827 to Medicaid and Molina Healthcare*
 - Add Contract #8200041776 to Medicaid and United Healthcare*
 - Add Contract #8200041775 to Medicaid and Magnolia Health*
 - ii. ***Items VI.C.3, VI.C.4, VI.C.5, VI.D.1, and V.D.4 – start dates amended***
- III. **Approval of per diem and expenses for the October 3, 2018 meeting and for any additional expenses incurred prior to the November 7, 2018 meeting**
- IV. **DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**
 - A. **Petitions for Relief from Reverse Auction**
 - 1. **Governing Authorities**
 - i. **Requesting Governing Authority:** Clarke County
Supplier: Unknown
Term: FY 2019
Commodities: Pea gravel, sanded gravel, clay gravel, semi-washed gravel, crushed limestone, loose rip rap, milling, asphalt and emulsion, micro surfacing, slurry seal, corrugated polyethylene pipe, metal traffic signs, vinyl sign material, aluminum blank signs, and fire hydrants
Total Value: Over \$500,000.00 estimated total for all purchases
Summary of Request: Clarke County has requested an exemption from using the Reverse Auction process for the purchase of various commodities. The County performed a Reverse Auction for these commodities in August 2018, and received significantly less competition than they traditionally do on these items. Vendors expressed having difficulty with the Reverse Auction platform and did not bid. In order to receive more competition as they have previously have, the County feels the competitive sealed bid process should be utilized to procure the items.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

ii. **Requesting Governing Authority:** Leake County

Supplier: Unknown

Term: Twelve (12) months

Commodities: Asphalt emulsion, road materials-rock-aggregate-riprap, and corrugated poly culvert pipe

Total Value: Unknown

Summary of Request: Leake County has requested an exemption from using Reverse Auction for the purchase of various commodities. They are requesting an exemption because they make multiple awards for these commodities. The County feels that competitive sealed bidding should be utilized to procure the items needed.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

iii. **Requesting Governing Authority:** Warren County

Supplier: Unknown

Term: Unknown

Commodities: Asphalt Products

Total Value: \$276,000.00 estimated

Summary of Request: Warren County has requested exemption from using the Reverse Auction process for the purchase of various commodities. They are requesting the exemption because they make multiple awards for these commodities. The County feels that competitive sealed bidding should be utilized to procure the items needed.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

B. Consideration of Awards for Governing Authorities Receiving Exemptions

1. **Requesting Governing Authority:** City of Tupelo

Supplier: Gresco Utility Supply, Wesco, Chancellor, Inc., Anixter, Arkansas Electric, Border States, Cape Electric, Stuart C. Irby

Term: Twelve (12) months

Commodities: Electrical Parts

Total Value: \$100,000.00 estimated

Summary of Request: The City of Tupelo requested an exemption from the Reverse Auction process in February 2018, which was granted by staff authority delegated by the Board at the

February 7, 2018 PPRB meeting. The City solicited sealed bids for electrical parts and received 8 responses. The City wishes to award to the lowest bidder meeting specifications per line item.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

C. Consideration of Awards for State Agencies Receiving Exemptions

1. Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: APAC- Mississippi, Inc., Graves Carroll, Dickerson & Bowen Inc., Evans Sand & Gravel Inc., Holliday Construction LLC., Houston Branch Sand & Gravel, LLC., Huey P Stockstill, LLC., John E. Smith & Company, Martin Kelly's, Tony Thames, Hammett Gravel Co. Inc., Blaine Sand & Gravel Inc.,

Contract#: 8900000871, 8900000872, 8900000873, 8900000874, 8900000875, 8900000876, 8900000877, 8900000878, 8900000879, 8900000890, 8900000910, 8900000911

Term: Twelve (12) months, October 3, 2018 through September 30, 2019

Total Value: \$635,000.00 (\$60,000.00, \$25,000.00, \$30,000.00, \$75,000.00, \$220,000.00, \$50,000.00, \$10,000.00, \$10,000.00, \$45,000.00, \$50,000.00, \$15,000.00, \$45,000.00)

Summary of Request: MDOT requested an exemption from using the Reverse Auction process for Sand and Gravel that was approved at the July 11, 2018 PPRB meeting due to the need to award to all suppliers in order to determine the lowest price as needed in various locations. These materials will be used by MDOT, other State Agencies and Governing Authorities. Twelve (12) responses were received. This is a multi-award bid awarded to all twelve (12) vendors based on the bids that met specifications. If the product is to be picked up, purchases will be made from the bidder providing lowest cost to MDOT (taking into account the line item pricing and the cost of transporting the product). If the materials are to be delivered, purchases will be made from the lowest bidder (line items pricing, plus haul/freight charge) able to deliver in a timely manner. MDOT is requesting the Board's approval to award a contract to the vendors that meet the specifications and delivery requirements.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

D. Consideration of State Agency Contracts for Board Action

1. Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: Synergy Partners, Nutrien AG Solutions, Asplundh Tree Expert

Contract #: 8900000901, 8900000902, 8900000903

Term: Eleven (11) months, October 3, 2018 through August 31, 2019

Total Value: \$780,000.00 (\$80,000.00, \$450,000.00, \$250,000.00)

Summary of Request: MDOT completed a Reverse Auction on August 22, 2018 for different types of herbicides. This is a multi-award bid with award to lowest price per item. These materials will be used by MDOT, other State Agencies and Governing Authorities. Five (5) bidders took part. No protests were received. MDOT wishes to award contracts to three (3) vendors based on the lowest bid per item that meet specifications and delivery requirements.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

2. Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: John Deere Financial FSB

Contract #: 8200022582

Term: Twelve (12) months renewal, December 1, 2018 through November 30, 2019

Total Value: \$754,900.00

Summary of Request: This contract was established 12/1/2015, using competitive sealed bids, for tractor rental, but did not require PPRB approval, until the first renewal request. MDOT requested a contract renewal on November 1, 2017 and was approved by the prior PPRB, for the amount of \$564,000.00. The language in the contract allows for an increase in the hourly rate for the tractor rental, based on the CPI. MDOT is requesting the Board's approval to extend this District II contract for another year from 12/01/2018 – 11/30/2019 with this being the third (3) of four (4) possible extensions. The total value will increase from \$564,000.00 to \$754,900.00. This agreement will include twenty-five (25) tractors for four hundred fifty hours (450) hours each, at \$19.09 per hour, for a yearly amount of \$190,900.00.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

3. Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: John Deere Financial FSB

Contract #: 8200030367

Term: Twelve (12) months renewal, December 21, 2018 through December 31, 2019

Total Value: \$ 712,180.00

Summary of Request: This contract was established 12/21/2016, using competitive sealed bids, for tractor rental. One (1) response was received with no protests. MDOT is requesting a contract renewal from 12/21/2018 – 12/31/2019. The language in the contract allows for an increase in the hourly rate for the tractor rental, based on the CPI. MDOT is requesting the Board's approval to extend this District VI contract for another year with this being the second (2) of four (4) possible extensions. The contract value will increase from \$476,496.00 to \$712,480.00. This agreement will include twenty-eight tractors (28) for four hundred hours (400) each at \$21.07 per hour for a yearly amount of \$235,984.04.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

E. OPTFM Staff Approvals Reported to the Board

1. Emergency Purchases

2. Sole Source Purchases

F. OPTFM Director's Report

V. DFA Bureau of Building, Grounds, and Real Property Management (BOB/RPM)

A. BOB Staff Approvals Reported to the Board

B. Consideration of Change Order for Board Action

1. Using Agency: Jackson State University

Project Number: GS# 103-291
Project Title: Stadium Infrastructure Repairs (EMER)
General Contractor: B & B Electrical & Utility Contractors, Inc.
Original Contract Sum: \$54,520.00
Net Change by Previous Change Orders: \$10,588.00
Total Value at Award before Change Order: \$65,108.00
Total Value of this Change Order: \$12,630.00
Construction Days to Date [Term]: 26 including CO
Change Order Scope: Provide labor and materials to repair the existing medium-voltage feeder circuit serving the Stadium Office Building and provide 2 chain link fencing gates at crawl space access holes.
Note: Board Action required when Change Order exceeds 25%.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. BOB has reviewed the documentation and recommends PPRB approval, contingent upon executed Change Order.

C. BOB Director's Report

D. RPM Lease Renewals

1. Requesting Agency: Mississippi Secretary of State

Lease #: 775-251-20A
Lessor: Mattiace Office Company, LLC.
Term: 05/01/2019-04/30/2020
Total Yearly Cost: \$392,712.50
Cost PSF: \$12.50 Inclusive
Previous Cost PSF: \$11.00
Federal Funds: 0%
Square Footage Proposed: 31,417
Previous Square Footage: 31,417
Address of Property: 125 S. Congress St. Jackson, MS.

Purpose of Lease: This request is for office space for the Secretary of State and Staff.
Note: This is a renewal of a lease contract that was previously approved by PPRB on 12/30/2013. The original contract allows for up to five (5) one (1) year renewals. This request is the first (1st) renewal. Also, the Office of the Secretary of State asks PPRB for an exemption on the Space Efficiency Allowance because this contract was executed prior to the regulation taking effect. The space efficiency presently is 327 square feet per employee. The maximum

allowed is 250 square feet per employee according to the Mississippi Leasing Procedure Manual.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

E. RPM Succeeding Leases

1. Requesting Agency: Mississippi State Department of Health

Lease #: 390-412-23A

Lessor: Gatsby, LLC.

Term: 11/01/2018-10/31/2023

Total Yearly Cost: \$10,200.00

Cost PSF: \$6.80 + Janitorial

Federal Funds: 0%

Square Footage Proposed: 1,500

Previous Square Footage: 1,500

Address of Property: 1742 Cliff Gookin Road, Tupelo, MS.

Purpose of Lease: This request is for the Mississippi Department of Health Water Supply Regional Office.

Note: This is a five (5) year lease with no renewals. Mississippi Department of Health asks PPRB for a waiver of the Space Efficiency Allowance because the initial lease was executed prior to the regulation taking effect. The space efficiency is 332 square feet per employee. The maximum allowed is 250 square feet per employee according to the Mississippi Leasing Procedure Manual.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

2. Requesting Agency: Mississippi Oil & Gas Board

Lease #: 640-251-23A

Lessor: Litchfield Carlyle, LLC.

Term: 12/01/2018-11/30/2023

Total Yearly Cost: \$171,600.00

Cost PSF: \$10.91 Inclusive

Federal Funds: 0%

Square Footage Proposed: 11,951

Previous Square Footage: 11,951

Address of Property: 500 Greymont Avenue, Jackson, MS.

Purpose of Lease: This request is for the Mississippi Oil & Gas Board office space and the required storage of Geological maps dating back to the 1940's.

Note: This is a five (5) year lease with no renewals. The Oil & Gas Board asks PPRB for a waiver of the Space Efficiency Allowance because the initial lease was executed prior to the regulation taking effect. The space efficiency is 362 square feet per employee. The maximum allowed is 250 square feet per employee according to the Mississippi Leasing Procedure Manual.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

F. RPM Non-Competitive Leases (Exempt from Competition)

1. Requesting Agency: Mississippi State Department of Health

Lease #: 390-251-23A

Lessor: Jackson Medical Mall Foundation

Term: 11/01/2018-10/31/2023

Total Yearly Cost: \$155,558.00

Cost PSF: \$13.00 Inclusive

Federal Funds: 100%

Square Footage Proposed: 11,966

Previous Square Footage: 14,016

Address of Property: 350 Woodrow Wilson, Jackson, MS.

Purpose of Lease: This lease will house the Crossroads Dental Clinic, Hinds County Health Department, WIC Food Center, and the Five Points Clinic.

Note: The Mississippi State Board of Health asks PPRB for a waiver of the Space Efficiency Allowance because the initial lease was executed prior to the regulation taking effect. The space footage for this property is 360 square feet per employee. The maximum allowed is 250 square feet per employee. This lease is exempt from advertising under 300.9(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

2. Requesting Agency: Mississippi Department of Environmental Quality

Lease #: 595-244-19A

Lessor: City of Pass Christian Harbor

Term: 10/01/2018 - 09/30/2019

Total Yearly Cost: \$12.00

Cost PSF: \$.02

Federal Funds: 0%

Square Footage Proposed: 580

Previous Square Footage: 580

Address of Property: 100 Hiern Avenue, Pass Christian, MS.

Purpose of Lease: This request is for a boat slip.

Note: This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

3. **Requesting Agency:** Mississippi Department of Revenue

Lease #: 800-431-19X

Lessor: Backyard Self Storage

Term: 09/01/2018 - 08/31/2019

Total Yearly Cost: \$1,080.00

Cost PSF: \$10.80 Inclusive

Federal Funds: 0%

Square Footage Proposed: 100

Previous Square Footage: N/A

Address of Property: 650 Industrial Park Road N.E., Brookhaven, MS.

Purpose of Lease: This request is for storage to house equipment during change of locations.

Note: This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

4. **Requesting Agency:** Mississippi Department of Revenue

Lease #: 800-431-19Y

Lessor: Backyard Self Storage

Term: 09/01/2018 - 08/31/2019

Total Yearly Cost: \$1,800.00

Cost PSF: \$9.00 Inclusive

Federal Funds: 0%

Square Footage Proposed: 200

Previous Square Footage: N/A

Address of Property: 650 Industrial Park Road N.E., Brookhaven, MS.

Purpose of Lease: This request is for storage to house equipment during change in locations.

Note: This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

5. **Requesting Agency:** Mississippi Department of Revenue

Lease #: 800-431-19Z

Lessor: Backyard Self Storage

Term: 09/01/2018 - 08/31/2019

Total Yearly Cost: \$1,800.00

Cost PSF: \$9.00 Inclusive

Federal Funds: 0%

Square Footage Proposed: 200

Previous Square Footage: N/A

Address of Property: 650 Industrial Park Road N.E., Brookhaven, MS.

Purpose of Lease: This request is for storage to house equipment during change of locations.

Note: This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

6. Requesting Agency: Office of the State Auditor

Lease #: 085-612-18A

Lessor: Commodore Partners d/b/a Stowaway Self Storage

Term: 08/01/2018 - 09/30/2018

Total Yearly Cost: \$948.00

Cost PSF: \$9.48 Inclusive

Federal Funds: 0%

Square Footage Proposed: 100

Previous Square Footage: N/A

Address of Property: 1495 Hwy 80 E., Pearl, MS.

Purpose of Lease: This storage unit housed evidence that the courts ordered the Office of the State Auditor to keep.

Note: Office of the State Auditor asks PPRB for a retro-active approval. This is a two (2) month lease with no renewals. This lease is exempt from advertising under 300.9(6).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

G. RPM Competitive Lease

1. Requesting Agency: Mississippi Department of Corrections

Lease #: 170-061-28A

Lessor: Ferretti Property Services

Term: 11/01/2018 - 10/31/2028

Total Yearly Cost: \$18,600.00

Cost PSF: \$7.44 + Utilities and Janitorial

Federal Funds: 0%

Square Footage Proposed: 2,500

Previous Square Footage: N/A

Address of Property: 401 North Chrisman Avenue, Cleveland, MS.

Purpose of Lease: This request is for the Bolivar County Probation and Parole Office.

Note: This is a ten (10) year lease with no renewals. The Mississippi Department of Corrections advertised two separate times and received only one proposal. RPM concurs that this rental rate is reasonable for this area.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

2. **Requesting Agency:** Mississippi Department of Rehabilitation Services

Lease #: 725-531-39C

Lessor: Allred Investments, LLC.

Term: 06/01/2019 – 05/31/2039

Total Yearly Cost: \$76,160.00

Cost PSF: \$14.00 + Utilities and Janitorial

Federal Funds: 80%

Square Footage Proposed: 5,440

Previous Square Footage: N/A

Address of Property: 313 Industrial Park Drive, Starkville, MS.

Purpose of Lease: This office will take applications from 300 to 400 clients per year who suffer from a wide range of handicapped conditions including, but not limited to, orthopedic impairments, heart conditions, amputations, chronically mentally ill, and many others.

Note: This is a twenty (20) year lease with no renewals. The Mississippi Department of Rehabilitation Services advertised and received only two proposals. The Mississippi Department of Rehabilitation Services selected the least expensive of the two.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

H. **RPM Amended Leases**

1. **Requesting Agency:** Mississippi State Department of Health

Lease #: 390-452-21A

Lessor: Nehrus Properties

Term: 10/01/2018 - 12/14/2021

Total Yearly Cost: \$202,664.35

Previous Yearly Cost: \$166,035.72

Cost PSF: \$13.19 Inclusive

Federal Funds: 100%

Square Footage Proposed: 15,365 (2,777 additional square feet)

Previous Square Footage: 12,588

Address of Property: 715 S. Pear Orchard Road, Ridgeland, MS.

Purpose of Lease: This additional space will house two new federally funded programs. (1) Jackson Heart Study Community Engagement Center and (2) Mississippi Violent Death Reporting System. These two additional programs will have an annual budget in excess of 1.5 million dollars combined with a five-year grant period.

Note: This lease is modified under section 500.1(1).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

2. Requesting Agency: Mississippi Department of Corrections

Lease #: 170-651-19A

Lessor: Howard J. Bowen

Term: 11/01/2018 - 09/30/2019

Total Yearly Cost: \$10,800.00

Previous Yearly Cost: \$10,800.00

Cost PSF: \$5.14 + Utilities and Janitorial

Federal Funds: 0%

Square Footage Proposed: 2,100

Previous Square Footage: 2,100

Address of Property: 230 Magnolia Drive, Raleigh, MS.

Purpose of Lease: This request is for the Smith County Probation and Parole Office.

Note: This is a month-to-month lease not to exceed a twelve (12) month period, with no permitted renewals. This lease is modified under section 300.9 (7).

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease

I. RPM Director's Report

VI. DFA Office of Personal Service Contract Review (OPSCR)

A. Petitions for Relief from Competitive Sealed Bidding

1. Requesting Agency: DMH – Ellisville State School

RFx Number: 3180000521

Procurement Request: Request for Qualifications

Anticipated Term: One (1) year with four (4) optional one-year renewals

Anticipated Contract Amount: \$39.00 per hour with set shifts

Summary of Request: The agency has submitted a Petition for Relief from the use of an Invitation for Bids (IFB) as the procurement method as allowed by Miss. Code Ann. § 31-7-403(4) for the competitive procurement of one vendor to provide registered nursing services to persons served at Ellisville State School. The agency contends the use of an Invitation for Bids is neither practicable nor advantageous as the service requires expertise in rendering care to persons with intellectual and developmental disabilities in a non-traditional medical setting. It is also imperative that the vendor have adequate registered nursing staff available with proper certifications from the state, federal government and the Mississippi Nursing Board. The respondents will be evaluated based on technical, cost and management factors. The technical factors will be weighted at twenty percent (20%) or 20 points, continuity of care factors will be weighted at twenty percent (20%) or 20 points, cost factors (whether the vendor accepts the price) will be weighted at thirty-five percent (35%) or 35 points, management factors will be weighted at twenty percent (20%) or 20 points and references and recommendations will be weighted at five percent (5%) or 5 points. Whether the vendor accepts the agency's price is the only factor to be considered under cost factors.

Staff Recommendation: Granting of the agency's Petition for Relief from competitive bidding requirements as allowed by Miss. Code Ann. § 31-7-403(4) and approval of the agency's

request to use a Request for Qualifications as the procurement method to select one vendor to provide registered nursing services.

B. Consideration of Contracts for Board Action

1. **Requesting Agency:** Mississippi Division of Medicaid

Supplier: The University of Southern Mississippi

Contract #: 8200041691

Term: 10/03/2018 – 10/02/2019

Total Value: \$700,000.00

**New
\$700,000.00**

Summary of Request: The term of the contract is one year with no optional renewal. The contractor will provide a Person Centered Training Program within the Mississippi Training Institute (hereinafter “MTI”) for the purpose of implementing and sustaining the Person Centered Planning Process initially through DOM’s Bridge to Independence and Home and Community Based Programs; provide the MTI as a statewide Person Centered Planning Institute for Mississippi based on standardized methods as approved by DOM; and perform wraparound training, coaching, and technical assistance through the MTI for the purpose of sustaining wraparound facilitation as a service for Mississippi Medicaid beneficiaries. The contractor was selected pursuant to Section 3-102.04, Procuring Services Offered by Governmental Entities Not Under Purview of the PPRB, of the PPRB OPSCR Rules and Regulations, which allows agencies to contract directly with state entities without soliciting the private sector. The Executive Director of DOM determined that the services meet the agency’s requirements and the price represents a fair market value for the services. The spending authority requested of \$700,000.00 includes reimbursement of travel expenses not to exceed \$84,350.00, which will be reimbursed at the same reimbursement rate as provided by State statute for employees of DOM.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

Projected Budget for Life of the Contract: \$700,000.00

2. **Requesting Agency:** Mississippi Soil and Water Conservation Commission

Supplier: Metis Services, LLC

Contract #: 8200041163

Term: 10/03/2018 - 10/02/2019

Total Value: \$140,000.00

**New
\$140,000.00**

Summary of Request: The term of the contract is one year with four optional one-year renewals. The contractor will provide leadership and assistance in the development, planning, management, implementation, specifications, and completion of various Mississippi Delta Watershed Protection Projects and the Carter/Rocky Bayou Watershed Protection Project. The contractor was selected through an RFQ with one respondent. The hourly rate for the services is \$65.00, and the contractor will be reimbursed up to \$20,985.00 per year for actual expenses and mileage at the current state of MS or federal mileage rate, whichever is less. This contractor is a Mississippi Public Employees Retirement System (PERS) retiree.

Due to the fact that the contractor is a PERS retiree and was hired as an independent contractor, they are required to submit the Employee vs. Independent Contractor Determination Questionnaire and a copy of the contract to PERS. The agency and contractor have completed the form and submitted it to PERS. In addition, during the review of this contract, staff had concerns regarding the ethical implications of using a contractor who was previously employed as the Executive Director of MSWCC. To address these concerns, the contractor has requested an official opinion from the Mississippi Ethics Commission. Confirmation from PERS of a “true independent contractor” determination and confirmation from the Mississippi Ethics Commission that the contract is permissible in light of the contractor’s prior employment must be received from the agency prior to processing the contract.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested contingent upon receipt of confirmation from both PERS and the Mississippi Ethics Commission of no violations.

Projected Budget for Life of the Contract: \$700,000.00

3. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: EMC, Inc.

Contract #: 8200025975

Term: 08/01/2016 - 07/31/2019

Modification

Total Value: \$1,899,275.00

\$10,000.00

Summary of Request: The original term of the contract remains three years with two optional one-year renewals. Modification Two has been submitted to increase the amount of the contract by \$10,000.00 for continuity of services. The contractor provides benthic habitat mapping related to the Oyster Restoration and Management Project. The purpose of this project is to collect physical data for potential and existing oyster reef locations throughout the Mississippi Sound and adjoining bays and estuaries. The contractor was originally selected through an RFQ with seven respondents. The original contract was approved at the July 19, 2016 PSCRB meeting; while Modification One was approved at the November 14, 2017 PSCRB meeting. The unit price is paid according to the hourly rates provided in Exhibit C, Rate Schedule with a federal mileage rate of \$0.54 per mile. Modification Two updates the Consideration and Payment, Representation Regarding Gratuities, E-Payment, Claims Based on a Procurement Officer’s Actions or Omissions, Procurement Regulations, Approval and Price Adjustment clauses. Proof of the vendor’s updated required workers’ compensation and employer’s liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications must be received from the agency prior to processing the contract modification.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon receipt of the vendor’s updated required workers’ compensation and employer’s liability, comprehensive

general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$3,165,458.00

4. **Requesting Agency:** Department of Public Safety

Supplier: Industrial/Organizational Solutions

Contract #: 8200036130

Term: 11/15/2017 – 11/14/2019

Renewal (N)

Total Value: \$412,520.00

206,260.00

Summary of Request: The original term of the contract was one year with four optional one-year renewals allowed by the original contract. This renewal exercises the first of four optional renewals. The contractor provides components of testing services to be used in the promotion process for the Mississippi Department of Public Safety. The contractor was originally selected through an RFP with six respondents. The original contract was statutorily approved in November 2017 by the PSCRB. This is the first time OPSCR has reviewed the procurement and contract. As this RFP was issued on September 1, 2017, the procurement must comply with the PSCRB Rules and Regulations (7/1/2016). The agency requests an exception to Section 7-113, Protest Documents, of the PSCRB Rules and Regulations regarding adequate protest time allowed. As no protest were received by the agency, OPSCR staff does not have concerns regarding the competitiveness and fairness of the procurement. Modification One updates the Anti-Assignment/Subcontracting, E-Payment, E-Verification, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, Contract Amendments, and Paymode clauses and adds the Approval and Insurance clauses. All other terms and conditions of the original contract remain the same.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting exception to Section 7-113 of the PSCRB Rules and Regulations, will comply with the PSCRB Rules and Regulations (7/1/2016), PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

Projected Budget for Life of the Contract: \$1,031,300.00

5. **Requesting Agency:** Department of Mental Health – Central Office

Supplier: Turnaround Achievement Network

Contract #: 8200036135

Term: 11/15/2017 - 11/14/2019

Renewal

Total Value: \$197,890.00

\$98,945.00

Summary of Request: The original term of the contract was one year with three optional one-year renewals. Modification One exercises the first of three optional renewals. The contractor provides evaluation services for DMH's Crossover XPand System of Care Project. These services include providing overall guidance of evaluation and data collection, providing quarterly data updates and reports to local sites regarding outcomes measured, assisting in data interpretation, and reporting performance measures on a monthly basis. The contractor was originally selected through an RFP with four respondents. The contractor is paid \$77.00 per hour not to exceed 1,285 hours per year. Modification One updates the Consideration, Stop Work Order, Availability of Funds, Procurement Regulations, Representation Regarding

Gratuities, E-Verification, and Entire Agreement clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same. Proof of the vendor's required workers' compensation insurance and comprehensive general liability or professional liability insurance certificates must be received prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon receipt of updated required insurance certificates.

Projected Budget for Life of the Contract: \$395,780.00

C. Department of Child Protection Services Contracts and Department of Human Services Contracts Useful in Establishing and Operating DCPS for Fiscal Year 2019

Neither the Public Procurement Review Board nor OPSCR staff approves Department of Child Protection Services (DCPS) contracts or Department of Human Services (DHS) contracts useful in establishing and operating DCPS. These contracts are reported to the board for consideration of recommendations, but are not subject to OPSCR Rules and Regulations. The implementation of any board recommendations is at the discretion of DHS and/or DCPS. Pursuant to Miss. Code Ann. § 27-104-7(f), the board is not authorized to disapprove any proposed personal service contracts for DCPS or DHS contracts that are useful in establishing and operating DCPS

D. Emergency Contracts Reported to the Board for Fiscal Year 2019

Emergency contracts are reviewed by OPSCR staff for technical compliance upon the written request of the submitting agency. The OPSCR staff will process the contract in MAGIC upon receipt of the contract, and then conduct the requested review and notify the agency of any problems found during the requested review; however, it is the responsibility of the agency to correct any errors. If no written request for review is made by the submitting agency, OPSCR staff will process the contract in MAGIC upon receipt of same, and then conduct a review of the contract for internal auditing purposes. Emergency contracts are presented to the PPRB at its regular meeting and are included in the minutes of said meeting, but no action is required by the PPRB as to these contracts. Any approval in MAGIC or any other state system does not constitute approval of the emergency procurement by the PPRB and is done solely for processing purposes. This provision is not intended to prevent the PPRB from making a report under the statutory authority to audit or to take other action as deemed appropriate.

E. OPSCR Staff Approvals Reported to the Board

F. Quarterly Report to the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency on Sole-Source Contracts

Staff Recommendation: Authorization to file the report with the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency.

G. Quarterly Report to the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency on Emergency Contracts

H. OPSCR Director's Report

VII. Adjournment